Certification of Facsimila Transmission

I hereby certify that this correspondence is being transmitted to the Commissioner for Patents in the US Patent and Trademark Office via First Class Mail with the U.S. Postal Service on ____April 24, 2006.

Erish Homm 47.286
Name of Agent Regularation No.

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.

09/902,144

Applicant(s)

Sean M. Kane

Filed

July 10, 2001

Title

Methods, Functional Data and Systems for Optimizing

Product Factors.

TC/A.U.

3623

Examiner

Romain Jeanty

Conf. No.

Docket No.

5453 8633

Customer No.

27752

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner. The fee for this Notice of Appeal is \$500.00 (37 CFR 41.20(b)(1).

The Director is hereby authorized to charge the above fees, or any additional fees that may be required, or credit any overpayment to Deposit Account No. 16-2480 in the name of The Procter & Gamble Company. An additional copy of this Notice is enclosed for that purpose.

I am:

- [X] an attorney or agent of record.
- [] an attorney or agent acting under 37 CFR 1.34(a).

[] authorized to act on behalf of the assignee of record of the entire interest, The Procter & Gamble Company. See 37 CFR 3.71. The assignment was recorded on at reel frame.

Respectfully submitted,

THE PROCTER & GAMBLE COMPANY

Signature

Erich D. Hemm

Typed or printed name Registration No. 47,286

(513) 634-8960

Customer No. 27752

Date: April 24, 2006